

ASSURANCES

Common Pool Concept. Delta levees and Delta water quality are integrally related. Without the levee systems repulsion of ocean salinity would require greater fresh water outflows. Because there is about 2 acre feet per acre greater evaporative loss from inundated areas than from typical farmed areas, maintenance of levees saves vast quantities of fresh water. Without adequate fresh water quality, agriculture and much of the fish, wildlife and recreational values of the Delta will be unsustainable.

History has shown particularly in matters relating to water that promises are broken and laws are ignored, reinterpreted to nullify their effect or are changed. Commitments for funding are vulnerable to changes in the economy and the needs of our citizens. Application of funds, even if available will always be subject to a myriad of regulatory restraints and controls, many of which could totally block expenditure for any purpose.

A viable levee program must be sustainable over an extended period of time. This requires the ongoing political support of the major interest groups affecting political decisions. A common interest in the protection of Delta water quality assures some interest in maintenance of Delta levees by all those who draw water from the common pool of fresh water within the Delta channels. If the SWP and CVP export pumps were directly connected to the Sacramento River by way of some type of peripheral canal, then the very powerful water export interests including our State and Federal governments which operate the export projects would no longer have a true concern with the quality of water in the Delta pool but rather would only be concerned with the quality of water at the intake to the peripheral type canal. In such event, Delta agricultural, fish, wildlife and recreational values and the related industrial and urban values would become vulnerable to total disregard and probable destruction similar to what occurred in the Owens Valley. History has not provided any basis for a sense of fair play or commitment to promised courses of action.

Water Code sections 12200 et seq. adopted in 1959 reflect commitments which should be honored. In Water Code section 12201

"5 12201. Necessity of maintenance of water supply

The Legislature finds that the maintenance of an adequate water supply in the Delta sufficient to maintain and expand agriculture, industry, urban, and recreational development in the Delta area as set forth in Section 12220, Chapter 2, of this part, and to provide a common source of fresh water for export to areas of water deficiency is necessary to the peace, health, safety and welfare of the people of the state, except that delivery of such water shall be subject to

the provisions of Section 10505 and Sections 11460 to 11463, inclusive, of this code."

and in Water Code section 12205, it is stated:

"§ 12205. Storage of water; integration of operation and management of release of water

It is the policy of the State that the operation and management of releases from storage into the Sacramento-San Joaquin Delta of water for use outside the area in which such water originates shall be integrated to the maximum extent possible in order to permit the fulfillment of the objectives of this part."

The only meaningful assurance is to retain the "common pool" and thereby a sincere common concern for the protection of the water quality in the Delta. Preservation of such common concern will assure that all groups will be at the table to help adapt the program to changing conditions and future needs.